

Dusted

John McEnroe rallied to defeat Trey Waltke in five sets, while Tim Wilkison sprang the U.S. Open Tennis Championships' first upset when he defeated Jose-Luis Clerc. Actually, McEnroe split on the afternoon. He was fined \$1,850 for throwing sawdust on a spectator. See Page 12A.



Joy of yogurt

Americans eat more than 600 million pounds of the milk by-product annually and and Columbians have learned the nutritional and delicious value of a dish that mankind has eaten for more than 1,700 years. Learn how to make your own yogurt on Page 1B.



Fire of growth

Our Lady of Lourdes Parish is completing a new school building and that will make life much easier on their principal, who has to make a four-mile trip between the present high school and middle school. Principal Sue Roytman explains the details on Page 18A.



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Good Morning! It's Wednesday, August 31, 1983

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Schools open today Tuesday's showers welcomed

By Mark Bowes and
Pam Reynolds
Missourian staff writers

Public schools will be open as scheduled today thanks to cooling rains Tuesday.

Columbia school officials had contemplated postponing or shortening the first day of classes because of the recent drought and heat wave, but Tuesday's thundershowers dropped about an inch of rain on the Columbia area and kept temperatures from climbing to the 100 degree mark. Tuesday's high temperature of 79 degrees came at 11 a.m. just before the rain began.

"We will be having the first day of school (today)," said Jim Ritter, associate superintendent of secondary education. "After that we'll have to monitor the weather on a day-to-day basis. Hopefully, we'll have more common September weather."

Though no major damage was caused by Tuesday's storm, electricity was interrupted for about an hour in some buildings near the University.

Today's forecast calls for mostly sunny skies, with temperatures between 85 and 90 degrees. The extended forecast for Thursday through Saturday calls for clear to partly-cloudy skies, with highs in the 90s.

Ritter said school officials had monitored classrooms in a few of the district's 23 schools Monday to help them decide whether to postpone opening day.

The heat wave had prompted the closing of public schools in Jefferson

City, Harrisburg and other area towns that already had begun their semesters.

The rain was a "God-send" to farmers whose crops and rangeland have been seared by the drought, said Don Emery, county director of the Agricultural Stabilization and Conservation Service.

John Poehlmann, director of the University's Agronomy Research Center, said that, although the rain was too late to save the corn harvests, the rain may have come just in time to salvage the soybean crop.

"This rain will be dollars in our pockets," said Emery. "The rainfall is definitely welcomed by livestock and grain farmers. This was liquid gold."

However, Emery noted that Tuesday's shower wasn't all that the thirsty crops needed.

"I'd like to see another inch or two," he said.

According to a spokesman at the National Weather Service, Tuesday's downpour actually brought August's rain total higher than usual. Rain in August now totals 3.07 inches. The normal amount is 2.93 inches.

A weather service spokesman said this month will become one of the five hottest months ever recorded in mid-Missouri. Through Monday, the average reading, including night and day temperatures, at Columbia Regional Airport, was 82.1. The hottest August on record since 1890 at Columbia Regional was 85.1 in 1935. The hottest month ever, July 1980 had an average temperature of 87.

Flash chance

Caught up in the flash and excitement of Sorority Bid Day Tuesday night, Pi Beta Phi senior Tammy McDougal, left, and

junior Anne Nester have their picture snapped by Foto Unlimited photographer Bill Dimodugno at the Pi Beta Phi house.

Lawyers to unsnarl constitutional tangle

By Lindsay Peterson
State capital bureau

The Senate Accounts Committee voted Tuesday to hire private attorneys to investigate whether Missouri can be forced to use unappropriated funds to finance the St. Louis-area school desegregation plan.

The request came from Sen. Jim Mathewson, D-Sedalia, chairman of the Senate Select Committee on State Taxation and Revenue. Mathewson told the Accounts Committee that such use of state funds was a violation of the Missouri Constitution.

The desegregation plan, ordered by U.S. District Judge William Hungate, will cost the state an estimated \$500 million over the next five years and could require either a tax increase or a cut in state services, according to Mathewson.

"But the bottom line," he said, "is the fact that there are non-appropriated funds being used for a case brought about under a federal court."

Missouri's constitution forbids the state from spending money that has not been allocated by law.

The job of the outside attorneys will be to consider whether Judge Hungate has the authority to force the state to violate its constitution, which is what funding the plan entails.

According to Ray Schneider, Senate researcher, the state has been paying about \$20 million a year to finance the desegregation of St. Louis. Under the terms of a new plan implemented by Hungate earlier this month, that amount will increase to about \$100 million a year.

"I think we have a challenge to face right now and the people of Missouri are looking to us for an answer," Mathewson said. "In my district, they don't want to lay out money for a desegregation case they don't have anything to do with."

We don't know which way we're going to go, but the state must investigate every avenue, he said.

Although the committee's action does not include filing a legal appeal, a few committee members, including Chairman Jack Gannon, D-Jefferson County, complained that the committee's action duplicated efforts already underway by Attorney General John Ashcroft.

Ashcroft has filed a request with Hungate to delay the state payment order and plans to argue the case to the U.S. Court of Appeals in Kansas City, Mo., on Thursday.

In addition, Sen. Emory Melton, R-Cassville, said State Treasurer Mel Carnahan was considering his own investigation of whether the federal court could force Missouri to allocate funds to St. Louis' desegregation plan.

Under Hungate's decision, Carnahan has signed checks to the St. Louis Public School District without any state legal authority or appropriation authorization.

"The State Treasurer is in a much better position to raise the question;

he or the Attorney General," Melton said. "It's not the job of the Senate."

But Mathewson said he didn't think the Attorney General could handle both the state's efforts to block implementation of the plan and the constitutional question.

"The Attorney General is in a position that dictates he can't do both," Mathewson said. "If we want this done, we're going to have to do it on our own."

Sen. Thomas McCarthy, R-St. Louis, a member of the Senate Select Committee, said he "was not satisfied that since the beginning, the Attorney General has done what's in the best interest of the state of Missouri." McCarthy accompanied Mathewson to Tuesday's Accounts Committee hearing.

The committee approved Mathewson's request 9-2. It rejected a motion to impose a \$10,000 limit on how much would be spent for attorney's fees.

Donor dies of AIDS; plasma vials recalled

WASHINGTON (UPI) — A research chemist reported Tuesday she had found an abnormality in the blood of AIDS victims, but it was too soon to tell if her findings could be used as a test for the incurable syndrome in patients and donated blood.

The finding was reported as the Red Cross confirmed it had recalled more than 5,500 vials of a special plasma product used by hemophiliacs because one donor of blood for the product had died of AIDS.

Chemist Veena Dayal told reporters at the annual meeting of the American Chemical Society she had found abnormally elevated levels of a protein in the blood plasma of AIDS victims and certain hemophiliacs.

Ms. Dayal, of St. Michael's Medical Center in Newark, N.J., said she hoped the protein could be used as a marker in a test for AIDS in both suspected victims and in donated blood. She said she could not make any predictions, however, because she had tested only a small number of patients — 16 AIDS patients and 14 hemophiliacs.

"If I speculate and if I'm hopeful about its prospects, then it might be useful in detecting carrier states," Ms. Dayal said.

Acquired Immune Deficiency Syndrome strikes mainly homosexual men, but also has been listed as a major cause of death among hemophiliacs who must rely on special plasma transfusions for necessary blood clotting substances.

The American Red Cross has recalled 5,592 small vials of the plasma compound, known as anti-hemophilic factor, because one of

many donors contributing to the two recalled lots died of AIDS, a Red Cross spokesman said Tuesday.

The Red Cross said the recall of vials distributed to 15 of the Red Cross' 57 regions was a precautionary measure carried out "in the best interests of insuring a safe blood supply." Some of the vials were recalled from the Missouri-Illinois Region.

Part of the same lots were used by a hemophiliac in Wichita, Kan., before the vials were recalled from other regions, Red Cross officials said. They stressed the Wichita batch was specially ordered and there was no danger of other hemophiliacs using it.

The donor in question died of AIDS 10 months after giving blood, the Red Cross spokesman said. He had made his donation six months before the organization began screening by questionnaire for high-risk donors.

AIDS knocks out its victims' immune systems, leaving them open to infections and rare cancers. Most victims die. Researchers believe AIDS may be spread by intimate sexual contact, contaminated needles and blood transfusions.

Although a cause has yet to be determined, researchers have linked AIDS to a type of virus which may throw disease-fighting white blood cells out of kilter. It is believed victims can harbor the precursors of AIDS for months before showing symptoms.

The Red Cross stressed, however, there is no scientific proof AIDS can be transmitted by blood products and no information about its incubation period.

Green belt earns title; Teen USA

LAKELAND, Fla. (UPI) — Miss New York, a diminutive brunette who earned a green belt in karate, won the Miss Teen USA crown Tuesday night over 50 other contestants from across the nation.

Elizabeth Zakarian of Amsterdam, N.Y., 17, who begins classes at Fulton Montgomery Community College near her home this fall, was chosen in competition that was nationally televised.

Miss Zakarian is also employed at the college as an accounts receivable clerk, but says her life ambition is to become an actress. At 5-foot-2 and 97 pounds, she holds a green belt in karate.

Bid rigging question unresolved

By Donna Biddle
Missourian staff writer

Stronger controls to prevent bids from being rigged on highway construction contracts may be harder to come by than State Auditor James Antonio thinks.

"We have not had the indictments or convictions for bid rigging in the state of Missouri," said Antonio. "But in almost every other state bordering Missouri there have been convictions."

This could mean any number of things, says Antonio. It could mean the state Department of Highways and Transportation has been successful in preventing bid rigging, or that the department has not discovered bid rigging. Or, he says, it could mean that Missouri has a lot of honest contractors.

The department paid \$175 million in 1982 to contractors for construction and repairs on Missouri's highways.

John Pasley, estimator for the Central Bridge Company of Colum-

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bia said he believes there isn't much bid rigging. "Work has been extremely competitive here the last two years."

In order to determine whether bid rigging has occurred, Antonio suggested analyzing differences between work estimates and bids.

"They know when some big irregularity is happening," said Pat Ryan, estimator for Sapp Emery and Sons Inc. But because the Missouri Department of Highways and Transportation can look only at previous jobs to determine work estimates, the figures are often too high or too low, he said. If the bids are within 20 percent in either direction of the department's estimates, the bids are considered normal.

There also may be a discrepancy between the work estimate and the bid because prices are increasing, said Pasley. The department obtains work estimates from earlier, similar

jobs. Later, companies bid. If labor or construction costs have risen during that time, bids may be considerably higher.

Companies may mutually agree to rig bids to decide which company will win the construction contract. When one company has too much work, it may bid less competitively to allow a second company to get the contract. On a subsequent job, the second company may bid lower so the first company can win the bid, Ryan said.

Antonio also suggested investigating those companies that received bid packages but did not bid. "This is an attempt to determine what kind of factors determined the decisions," Antonio said. "Our whole set of objectives is aimed at an improved competitive environment."

It is not unusual to receive a bid package and not bid, Pasley said. Bid packages detail exactly what work needs to be done. When a company receives the bid package, it may decide that it cannot or does not want to do the work and does not bid.

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